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Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NATALIE GENE NOLT,

Plaintiff,

v.

KILOLO KIJAKAZI,
Commissioner of Social Security,

Defendant.

Case No.: 2:22-cv-01926-BNW

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE
ANSWER AND CERTIFIED
ADMINISTRATIVE RECORD
(FIRST REQUEST)**

Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the "Commissioner"), through her undersigned counsel, hereby requests an extension of time to file her answer and Certified Administrative Record (CAR) in this case, for good cause shown. This is the Commissioner's first motion for an extension. The Commissioner's answer and CAR are currently due to be filed by January 30, 2023. The Commissioner requests an extension of 60 days in which to file the answer and CAR, which would move the due date to March 31, 2023. Counsel for Defendant advised counsel for

1 Plaintiff of the need for this extension on January 25, 2023. Counsel for Plaintiff confirmed that
2 Plaintiff does not object to this request.

3 Defendant makes this request in good faith and for good cause, because the CAR, which must
4 be filed with the answer and is necessary to adjudicate the case, is not yet available. On January 23,
5 2023, counsel for Defendant contacted the Social Security Administration's Office of Appellate
6 Operations (OAO) in Falls Church, Virginia, which is responsible for producing the CAR that must be
7 filed with the answer, per 42 U.S.C. § 405(g) and (h). A representative from OAO indicated that they
8 needed additional time to complete production of the electronic CAR and the paper courtesy copy of
9 the CAR that is necessary to provide to the Court.

10 The public health emergency pandemic caused by COVID-19 has significantly impacted
11 Defendant's operations, and particularly the operations of OAO. Although OAO has innovated to
12 improve productivity throughout the pandemic, OAO continues to run into staffing and technical
13 issues that delay CAR production for certain cases, including this one.

14 Accordingly, Defendant requests an extension of 60 days in which to file the answer and CAR,
15 changing the due date for the answer and CAR from January 30, 2023, to March 31, 2023.

16
17 Dated: January 25, 2023

Respectfully submitted,

18 JASON M. FRIERSON
19 Acting United States Attorney

20 /s/ Justin L. Martin
JUSTIN L. MARTIN
21 Special Assistant United States Attorney

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23 IT IS SO ORDERED:

24 
UNITED STATES MAGISTRATE JUDGE

25 DATED: January 26, 2023

CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 701 Fifth Avenue, Suite 2900 M/S 221A, Seattle, Washington 98104. I am not a party to the above-entitled action. On the date set forth below, I caused service of **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER AND CERTIFIED ADMINISTRATIVE RECORD (FIRST REQUEST)** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

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Attorneys for Plaintiff

Dated: January 25, 2023

/s/ Justin L. Martin
JUSTIN L. MARTIN
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